

# MUKASEY FRENCHMAN LLP

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March 31, 2021

**VIA ECF**

Hon. John G. Koeltl  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: Grant v. Trump, 20 Civ. 7103 (JGK)**

Dear Judge Koeltl:

This firm, and Peroff Saunders, represent Defendants in this action. The Court has before it Defendants' pending motion to dismiss.

I write to note the Second Circuit's recent decision in the *Andy Warhol* case, *Andy Warhol Found. for the Visual Arts, Inc. v. Goldsmith*, No. 19-2420-CV, 2021 WL 1148826 (2d Cir. Mar. 26, 2021), and to request that the Court accept supplemental briefing regarding the impact that the *Andy Warhol* decision may have on the pending motion to dismiss. We ask the Court to enter an order authorizing, and fixing a schedule for, such briefing.

Respectfully submitted,

/s/ Kenneth A. Caruso  
Kenneth A. Caruso

cc : All Counsel via ECF

The defendants may submit a supplemental brief, no longer than 10 pages, by May 3, 2021; the plaintiffs may file a response, no longer than 10 pages, by June 1, 2021; the defendants may file a reply, no longer than 5 pages, by June 15, 2021.

SO ORDERED.

New York, New York  
April 2, 2021

/s/ John G. Koeltl  
John G. Koeltl  
U.S.D.J.